IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8108 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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JIKARIYA PRAVINCHANDRA BHAGAWANJI

Versus

JUNAGADH MUNICIPALITY

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Appearance:

MR RA MISHRA for Petitioners

None present for Respondent No. 1

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 19/10/2000

ORAL JUDGEMENT

#. Heard the learned counsel for the petitioners.

#. The petitioners who were appointed on daily wages in Junagadh Municipality, by this petition, are praying for direction to treat them as permanent workmen as those of Reference No.3 of 1988, annexure-A to this petition.

#. Reply to the special civil application has been filed by respondent and in paragraph-4 thereof, it is admitted that the petitioners No.1, 2, 4, & 6 have been made permanent by an order dated 10th August, 1990.

#. Mr.Mishra, learned counsel for the petitioner states that petitioners No. 5 and 7 have also been made permanent by respondent during this period.

#. So only one person remains to be made permanent by the respondent. The learned counsel for the petitioners admit that the petitioner No.3 met him in the year 1996 and there are all the possibilities that after 1996, the petitioner No.3 would have also been made permanent. However, if he has not been made permanent so far, the respondent is directed to consider his case in the light of the order passed for petitioners No.1, 2, 4, 5, 6, & 7 and keeping in view the fact that the persons alleged to be juniors to him have been made permanent and to pass appropriate order after hearing petitioner No.3, if he so desires for opportunity of personal hearing. In case the petitioner No.3 cannot be made permanent, a reasoned order be passed and a copy of the same be sent to the petitioner by registered post A.D. Subject to these directions, Rule and special civil application stand disposed of with no order as to costs.

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(sunil)